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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

IN RE: SOCIAL MEDIA ADOLESCENT  
ADDICTION/PERSONAL INJURY  
PRODUCTS LIABILITY LITIGATION

THIS DOCUMENT RELATES TO:

ALL ACTIONS

MDL No. 3047

Case No. 4:22-md-03047-YGR-TSH

Honorable Yvonne Gonzalez Rogers

**DEFENDANTS' STATEMENT OF  
RECENT DECISIONS**

**Hearing:**

Date: October 27, 2023

Time: 10:30 AM

Place: Courtroom 1, 4<sup>th</sup> Floor

Judge: Hon. Yvonne Gonzalez Rogers

Pursuant to N.D. Cal. Civil L.R. 7-3(d)(2), Defendants submit as supplemental authority three recent orders enjoining state legislation intended to protect minors online by limiting their ability to access potentially harmful online content:

- *NetChoice, LLC v. Bonta*, 2023 WL 6135551 (N.D. Cal. Sept. 18, 2023) (preliminarily enjoining as likely violating the First Amendment California’s Age-Appropriate Design Code Act, which, among other things, limits the use of minors’ personal data to profile users or target content; requires online businesses to “[e]stimate the age of child users with a reasonable level of certainty”; forbids “[using] the personal information of any child in a way that the business knows, or has reason to know, is materially detrimental to the physical health, mental health, or well-being of a child”; and forbids certain other actions that may be “materially detrimental” to a child’s well-being, including using “design features that ‘nudge’ individuals into . . . spending more time on an application”), attached as Ex. 1;
- *NetChoice, LLC v. Griffin*, 2023 WL 5660155 (W.D. Ark. Aug. 31, 2023) (preliminarily enjoining as likely violating the First Amendment Arkansas statute requiring age authentication and parental consent for minors to create accounts on social media websites), attached as Ex. 2; and
- *Free Speech Coalition, Inc. v. Colmenero*, 2023 WL 5655712 (W.D. Tex. Aug. 31, 2023) (preliminarily enjoining as likely violating the First Amendment Texas statute requiring websites containing “sexual material harmful to minors” to age-authenticate and block minors), attached as Ex. 3.

Dated: September 21, 2023

Respectfully submitted,

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**ATTESTATION**

I, Lauren Gallo White, hereby attest, pursuant to N.D. Cal. Civil L.R. 5-1, that the concurrence to the filing of this document has been obtained from each signatory hereto.

DATED: September 21, 2023

By: /s/ Lauren Gallo White  
Lauren Gallo White